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Attorneys for Plaintiff: David Paz and all
others similarly situated

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

DAVID PAZ, an individual and on behalf of all
others similarly situated,

Plaintiff,

vs.

PLAYTEX PRODUCTS, INC., a Delaware
Corporation, and DOES 1 through 100,
inclusive,

Defendants.

CASE NO. 3:07-cv-2133-JM-BLM

CLASS ACTION

**NOTICE OF MOTION AND MOTION
TO REMAND FOR LACK OF
SUBJECT MATTER JURISDICTION**

ACCOMPANYING DOCUMENTS:

Memorandum of Points and Authorities;
Evidentiary Objections to Declaration of
Brenda Liistro; Objections To and Request
For An Order Striking Submission of
Unrelated Decision

[28 U.S.C. § 1447]

Date: December 14, 2007
Time: 1:30 p.m.
District Judge: Hon. Jeffrey T. Miller
Room/Floor: Room 16 / 5th Floor

**[NO ORAL ARGUMENT UNLESS
REQUESTED BY THE COURT]**

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE THAT on December 14, 2007 at 1:30 p.m. in Courtroom 16 of
the above-entitled court, or as soon thereafter as this matter may be heard, before the Honorable
Jeffrey T. Miller, plaintiff DAVID PAZ ("Plaintiff") will move the Court for an Order

1 remanding this action to the Superior Court for the State of California, County of San Diego.
2 The basis for this Motion is that this Court lacks federal subject matter jurisdiction over this
3 matter.

4 This Motion is supported by the accompanying Memorandum of Points and Authorities
5 in support of the Motion, the Evidentiary Objections to the Declaration of Brenda Liistro,
6 Plaintiff's Objections to and Request For An Order Striking Defendant's Submission of
7 Unrelated Decision and References Thereto, the papers, pleadings and records on file in this
8 action, and upon such oral and documentary evidence as may be presented to the Court in
9 connection with this Motion.

10 Dated: November 13, 2007

Respectfully submitted,

11 DEL MAR LAW GROUP, LLP

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13 by s/John H. Donboli
14 JOHN H. DONBOLI
15 E-mail: jdonboli@delmarlawgroup.com
16 JL SEAN SLATTERY
17 Attorneys for Plaintiff DAVID PAZ, an individual
18 and on behalf of all others similarly situated
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